

Hon. John C. Coughenour
Hon. J. Richard Creatura

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DONNITTA SINCLAIR, Mother of Deceased
HORACE LORENZO ANDERSON, JR.,
individually,

Plaintiff,

vs.

CITY OF SEATTLE, a municipality,

Defendant.

No. 2:21-cv-00571-JCC-JRC

DEFENDANT CITY OF SEATTLE'S
RESPONSE TO THE NATIONAL POLICE
ASSOCIATION'S MOTION FOR LEAVE
TO PARTICIPATE AS AMICUS CURIAE

NOTE ON MOTION CALENDAR:
September 10, 2021

On August 17, 2021, the National Police Association (NPA) filed a Notice of Motion and Motion for Leave to Participate as Amicus Curiae. NPA seeks leave to file legal memoranda regarding Defendant's pending motion to dismiss and any future summary judgment motions. Dkt. 16 at 2. NPA "expects to present positions in support of plaintiff." *Id.* The City hereby submits its response to NPA's motion.

This Court has broad discretion to either grant or reject the participation of amicus curiae. *Gerritsen v. de la Madrid Hurtado*, 819, F.2d 1511, 1514 n.3 (9th Cir. 1987).

DEFENDANT CITY OF SEATTLE'S RESPONSE TO THE NATIONAL
POLICE ASSOCIATION'S MOTION FOR LEAVE TO PARTICIPATE
AS AMICUS CURIAE - 1 (21-cv-00571-JCC-JRC)

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1 “District courts may consider amicus briefs from non-parties concerning legal issues that
 2 have potential ramifications beyond the parties directly involved or if the amicus has
 3 unique information or perspective that can help the court beyond the help that the lawyers
 4 for the parties are able to provide.” *Macareno v. Thomas*, 378 F. Supp. 3d 933, 940 (W.D.
 5 Wash. 2019) (*quoting NGV Gaming, Ltd. v. Upstream Point Molate, LLC*, 355 F. Supp. 2d
 6 1061, 1067 (N.D. Cal. 2005) (citations and internal quotation marks omitted).

7 The City of Seattle takes no position as to whether the participation of NPA would
 8 assist the Court in this manner. However, if this Court determines that NPA’s participation
 9 would be helpful and grants it leave to file an opposition to the City’s Motion to Dismiss,
 10 then the City would request that the Court grant the City an opportunity to respond. In
 11 addition, undersigned counsel has a long-planned period of unavailability from August 23
 12 to 27, 2021, and requests that the City’s reply to NPA be due no earlier than September 3,
 13 2021.

14 DATED this 20th day of August, 2021.

15 PETER S. HOLMES
 16 Seattle City Attorney

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